

**CARROLLTON CITY COUNCIL  
WORKSESSION AND REGULAR MEETING**

**SEPTEMBER 2, 2008**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, September 2, 2008, at 5:45 p.m. with the following members present: Mayor Pro Tem Pat Malone, Councilmembers Tim Hayden, Larry Williams and Herb Weidinger. Mayor Ron Branson and Deputy Mayor Pro Tem John Mahalik were absent. Also present were City Manager Leonard Martin, Assistant City Managers Marc Guy and Bob Scott, Director of Managed Competition Tom Guilfooy, Workforce Services Director Erin Rinehart, City Attorney Clayton Hutchins and City Secretary Ashley D. Mitchell.

**\*\*\* PRE-MEETING \*\*\*  
5:45 P.M. – COUNCIL BRIEFING ROOM**

1. Dinner
2. Mayor and Council **reports and information sharing.**
3. Receive **supplemental staff information** and responses to questions.

**\*\*\* WORKSESSION \*\*\*  
COUNCIL BRIEFING ROOM**

6. Discuss **Rosemeade and Thomas Pool Improvements.**

Scott Whitaker, Director of Parks and Recreations stated that on the agenda for approval at tonight's council meeting is Phase II of the pool enhancements for Rosemeade and Thomas pools. Staff has been monitoring and evaluating attendance at the pools this summer. Rosemeade has maintained the higher attendance that began last year. Thomas attendance has decreased over the past two seasons, despite improvements made in 2007. As you can see from the attached chart, when Rosemeade Rainforest opened in 2007, it had a significant impact on the attendance at Thomas pool. Staff felt the addition of the slides and shade at Thomas this past year would increase the attendance. While it appears this summer's attendance is better than last year, there were more rain days last summer than this summer.

Based on the days we were open, we had an average daily attendance at Thomas Pool of approximately 120, while Rosemeade averaged 965.

Staff wanted to bring this information to your attention because the contract for consideration tonight includes \$492,000 in proposed improvements for Thomas pool, including bathhouse upgrades, deck replacement and adding a splash pad.

Options for City Council to consider:

- A. Do not make the improvements to Thomas at this time and evaluate the attendance after next summer. Available funds could remain in the project account for future pool improvements. Also, use feedback from the next Park Master Plan survey results as another tool to determine the need and options for improvements.
- B. Proceed as planned with the improvements and continue to market the Thomas pool in an attempt to attract new business.

The amount in the companion agenda item to be approved by City Council is a not to exceed amount. This agenda item can be approved as submitted and the appropriate adjustments can be made before signing the contract.

Staff recommends City Council approve the construction contract as proposed. Staff wants to further evaluate the need for improving the bathhouse at Thomas Pool as part of this contract.

Council concurred to award the bid for Rosemeade and Thomas Pool Improvements with the exception of the bath house improvements.

7. Briefing on **Hotel Enforcement Initiatives And Proposed Hotel Ordinance.**

Scott Hudson, Director of Environmental Services stated that due to increasing concerns about criminal activity and property maintenance at Carrollton hotels, the City Council established enforcement at these facilities as a strategic goal. This agenda item outlines enforcement initiatives and a draft ordinance. Both will be more fully discussed in the briefing. Police and Environmental Services staffs have tried a variety of approaches, ranging from partnership and education with hotel management and ownership to escalating enforcement. Because previous efforts have failed to significantly reduce crime or gain consistent compliance with property standards, an ordinance is proposed that would provide:

- Lodging License requirement for any hotel to operate in Carrollton
- Tiered performance standards based on a hotel's calls for emergency services
- Mechanisms to deny a license application and revoke a license for excessive or serious non-compliance
- Operating standards, including hotel register and limits on continuous occupancy
- Specific maintenance standards for safety and sanitation
- Penalty for violation commensurate with existing property maintenance codes.

If the proposed ordinance were adopted, a license fee would recover a significant portion of Environmental Services' hotel program costs.

Heightened accountability for criminal activity and property maintenance are intended to correct an unsustainable condition in the community.

Council concurred to proceed with the plan as presented and not hold a public hearing.

Councilmember Hayden requested a Worksession on the CAAB Board to review their scope and composition.

8. Briefing on **Downtown Carrollton Rail Station Master Plan.**

Cesar Molina, Director of Engineering stated that the purpose of this item is to brief City Council on the final outcome of the Downtown Carrollton Station Master Plan project. In late 2005, staff selected the firm of Jacobs Engineering (formally known as Carter Burgess, Inc.) to develop a master plan for the Downtown Station. The project formally started in November 2005 and the first phase was completed in the fall of 2006. The second phase began in the fall of 2007 and has recently been completed.

**9. Discuss Fiscal Year 2009 Proposed Budget.**

Bob Scott, Assistant City Manager and Chief Financial Officer stated that on April 15, 2008, staff presented to City Council the Multi-year (five-year) Budget and Financial Forecast beginning the budget preparation process for the Fiscal Year 2008-09 Budget.

The Fiscal Year 2008-09 Preliminary Budget was distributed to City Council on August 1, 2008. On August 5, 2008 and August 19, 2008, City Council worksessions were held to provide City Council an opportunity for questions and deliberation. The Fiscal Year 2008-09 Budget will include the following modifications as directed by City Council:

- Increase ambulance fees 4% to cover new protocols requiring additional medical equipment and supplies as well as increases in fuel charges.
- Add a new fee for recovery from hazardous materials responses for natural gas lines cut by contractors.
- Adjust the apartment inspection fee to \$13 per unit or \$250 minimum.
- Add a new fee of \$50 for single-family rental inspection.
- Add a new fee for food service worker certification based on number of employees per establishment.
- Add a new fee for repeat inspections of continued property violations of \$40 per hour.
- Include Library book club kits as part of the items for circulation.
- Increase the non-resident fees at Rosemeade pool to \$6.
- Increase the ATMOS gas franchise fee from 4% to 4.2%.
- Add a school resource officer with total recurring and non-recurring costs in Fiscal Year 2008-09 of \$100,918. Full-year costs for Fiscal Year 2009-10 would be \$70,286.
- Adjust pay schedule for dispatchers for total recurring costs in Fiscal Year 2008-09 of \$41,244. Full-year costs for Fiscal Year 2009-10 would be \$54,992.
- Include funding for homeland security supplies and equipment for a total recurring cost of \$3,000.
- Provide certification pay for dispatchers. Total recurring costs in Fiscal Year 2008-09 would be \$6,750 with full-year costs for Fiscal Year 2009-10 of \$9,000.
- Add a police sergeant for Transit Oriented Development (TOD). Total recurring and nonrecurring costs for Fiscal Year 2008-09 would be \$87,542 with full-year costs for Fiscal Year 2009-10 of \$104,943.
- Include 20 year step pay for police officers for a total of \$16,438 recurring in Fiscal Year 2008-09 and full-year costs of \$21,917 in Fiscal Year 2009-10.

The notice for the public hearing on September 2, 2008 was published on August 23, 2008. At the August 19, 2008 meeting, City Council voted to set the proposed tax rate, public hearing date and the date for approval of the proposed tax rate and budget. Final approvals of the budget and tax rate are planned for September 16, 2008.

**10. Discuss Future Agenda Items.**

None.

*Mayor Pro Tem Malone recessed the Worksession at 6:50 p.m.*

INVOCATION was led by Councilmember Williams.

PLEDGE OF ALLEGIANCE was led by Boy Scout Troop 876.

## PRESENTATIONS

11. Presentation of **Major Investor Plaque To The City of Carrollton By Metrocrest Chamber Of Commerce.**

Greg Vaughn, President of the Metrocrest Chamber of Commerce presented a plaque to the City of Carrollton.

12. Presentation of **Life Saving Awards.**

Fire Chief John Murphy presented the following awards: Life Saving Awards to Carrollton Medic 113 crew members; a Unit Citation to the crew members of Addison Engine 102; and Certificates of Appreciation to the CPD Officers.

On May 23, 2008 Carrollton Medic 113 and Addison Engine 102 were dispatched to a reported person with chest pain. Upon arrival they found a highly agitated patient experiencing significant pain. During patient assessment the patient suddenly went into v-fib (cardiac arrest) with no breathing or pulse. Chest compression and airway management were initiated by the crew members of Addison 102. The patient was successfully shocked by Sub Apparatus Operator/Paramedic Watson Kohankie and Fire Fighter/ Paramedic Chris Clopton. After the initial shock the patient converted from v-fib into a heart rate with pulse. The patient was packaged, carried to the ambulance and transported to the hospital.

Upon arrival at the hospital the patient was alert and orientated and went directly to the cardiac cath lab for treatment.

The ability of the Fire Fighter/Paramedics on scene to immediately recognize the patient's condition and respond with appropriate medical treatment provided a successful outcome of this incident - the saving of a human life.

This save was truly a team effort demonstrated not only by the actions of members of the Addison and Carrollton Fire Departments but also with the assistance of two Carrollton Police Officers. Police Officers Kue and Loza helped clear the patient treatment area inside the residence and assisted medics with the transportation of EMS equipment from the medic to the house and from the house back to the medic.

13. Present a **Proclamation Declaring September 27, 2008 as Arbor Day.**

Mayor Branson declared September 27, 2008 as **Arbor Day in Carrollton**. Each year the State of Texas and many other cities within the state utilize this day to observe trees, the planting of trees, educational programs about trees and the environmental contribution these trees provide. The City is planning a small event at McInnish Sports Complex. Specific details will be forwarded to Council at a later date.

**PUBLIC FORUM**

14. **Hearing of any citizen/visitor on items not listed on the regular meeting agenda.** Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed a maximum of 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

John Kearse, 2109 Via Del Playa, Carrollton stated that he had heard that there may be a Veteran's Day celebration and wanted to know if the City has one planned. He also stated that there is no signage at the back door of where the handicap accessible entrance is located. Also, he would like staff to look at the signage at Keller Springs and Beltline. The City has posted a directional sign that is blocking the signage of the retailers.

**CONSENT AGENDA** (\*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)

**Councilmember Marchant moved to approve Agenda Items No. 15-20. Second by Councilmember Simons. The vote was cast 6-0 in favor of the motion.**

*Council removed Agenda Item Number 21 from the agenda.*

**MINUTES**

- \*15. Consider **Approval of the June 3, June 17, July 1, July 15, August 5 and August 19, 2008 City Council Minutes.**

**BIDS AND PURCHASES**

- \*16. Consider **Approval of Bid #08-040 For city Hall Door Replacements For Facility Services** from Dallas Door & Supply in An Amount Not To Exceed \$102,324.00.

**CONTRACTS AND AGREEMENTS**

- \*17. Consider authorizing the City Manager to **Approve Contract Amendment No. 3 With Birkhoff, Hendricks & Conway For Additional Design Services For The Columbian Club Pump Station** in an amount of \$41,800.00 for a revised contract amount not to exceed \$409,730.00.
- \*18. Consider authorizing the City Manager to **Approve An Amendment To The July 2003 Agreement With Allied Waste Services To Provide A Residential Recycling Regards Program.**
- \*19. Consider Authorizing The City Manager To **Approve A Contract For The Asbestos Abatement And Demolition Of 2810 Old Denton Road.**

- \*20. Consider Authorizing The City Manager To Approve A Contract With Development Counsellors International (DCI) For Logo Development Strategic Branding, Marketing And Public Relations in an amount not to exceed \$238,000.00.
- ~~\*21. Consider Authorizing The City Manager To Approve A Construction Contract Agreement With Texas WaterWorks (Robax Corporation) For The Construction Of The Rosemeade Aquatic Facility And Thomas Aquatic Facility Phase II in an amount not to exceed \$1,772,099.00.~~

### PUBLIC HEARING -INDIVIDUAL CONSIDERATION

22. Conduct a Public Hearing on the Proposed Operating And Capital Budget For The Fiscal Year October 1, 2008 Through September 30, 2009.

Pam Hodges, Finance Director stated that on April 15, 2008, staff presented to City Council the Multi-year (five-year) Budget and Financial Forecast beginning the budget preparation process for the Fiscal Year 2008-09 Budget.

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**Councilmember Simons Closed the Public Hearing.**

23. Hold a Public Hearing and Consider a **Resolution Approving A Comprehensive Plan Amendment From Single-Family Residential To Low-Intensity Office Uses.** The 0.617-Acre Site is located on the southwest corner of Whitlock Lane and Cottonwood Drive and is currently zones (SF-8.4/16) Single-Family Residential District. Case No. 08-08MD2 1301 Whitlock (Comp. Plan).

Lori Levy, Planning and Development Manager stated that this is a request for an amendment to the Comprehensive Plan and the Future Land Use Map to change a 0.617-acre site from Single-Family Detached uses to Low-Intensity Office uses. The site is located on the southwest corner of Whitlock Lane and Cottonwood Drive.

A companion zoning request, Case No. 08-08Z1 1301 Whitlock Lane, is also on the agenda.

On August 7, 2008, the Planning and Zoning Commission recommended **APPROVAL** subject to stipulations. The attached resolution reflects the Commission's action. Although, this application received unanimous approval, written opposition has been filed against the companion zoning request. Therefore, this request has been placed on the agenda under Public Hearing items for Individual Consideration

**Councilmember Hayden moved to approve Case No. 08-08MD2 1301 Whitlock. Second by Councilmember Simons. The vote was cast 6-0 in favor of the motion.**

24. Hold a Public Hearing and Consider an **Ordinance Approving An Amendment To PD-173 To Incorporate The Subject Property.** The 0.617-Acre site is located at 1301 Whitlock Lane and is on the southwest corner of Whitlock Lane and Cottonwood Drive. The property is currently zoned (SF-8.4/16) Single-Family Residential District. Case No. 08-08Z1 1301 Whitlock Lane.

Lori Levy, Planning and Development Manager stated that this is a request for approval of an amendment to PD-173 to incorporate this property. The site is approximately 0.617 acres and is currently developed with a one-story brick veneer house.

The site is located at 1301 Whitlock Lane and is on the southwest corner of Whitlock Lane and Cottonwood Drive. The property is currently zoned (SF-8.4/16) Single-Family Residential District.

On August 7, 2008, the Planning and Zoning Commission recommended **APPROVAL** with amended stipulations. The attached ordinance reflects the Commission's action. Although this application received unanimous approval, written opposition has been filed. Therefore, this request has been placed on the agenda under Public Hearing items for Individual Consideration.

**Councilmember Simons moved to approve Case No. 08-08Z1 1301 Whitlock. Second by Councilmember Weidinger. The vote was cast 6-0 in favor of the motion.**

25. Hold A Public Hearing and Consider an **Ordinance Approving An Amendment To Special Use Permit No. 272 For A Revised Site Plan.** The 34.95 Acre Site is located on the north side of Hebron Parkway, between Arbor Creek Drive and the Burlington Northern-Santa Fe Railroad, and is currently zoned (Sf-7/14) Single-Family Residential District with SUP-272 for a Private School. Case No. 08-08SUP1 First United Methodist Church.

Lori Levy, Planning and Development Manager stated that this is a request for approval of an amendment to Special Use Permit 272 for a revised site plan. The 34.95-acre site is located on the north side of Hebron Parkway, between Arbor Creek Drive and the Burlington Northern & Santa Fe Railroad. This property is currently zoned (SF- 7/14) Single-Family District with SUP-272 for a private school.

On August 7, 2008, the Planning and Zoning Commission recommended **APPROVAL** with stipulations. The attached ordinance reflects the Commission's action. The application received unanimous approval. However, written opposition has been filed. Therefore, this request has been placed on the agenda under Individual Consideration.

**Councilmember Hayden moved to approve Case No. 08-08SUP1 First United Methodist Church. Second by Councilmember Simons. The vote was cast 6-0 in favor of the motion.**

*Mayor Pro Tem Malone adjourned the Worksession at 8:38 p.m.*

ATTEST:

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Ashley D. Mitchell, City Secretary

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Pat Malone, Mayor Pro Tem